

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JUANA SIERRA,

*Plaintiff,*

07 Civ. 6769 (JSR)

- against -

**AFFIDAVIT**

CITY OF NEW YORK; NEW YORK CITY  
DEPARTMENT OF BUILDINGS, and PATRICIA  
J. LANCASTER, in her capacity as  
COMMISSIONER OF NEW YORK CITY  
DEPARTMENT OF BUILDINGS; NEW  
YORK CITY DEPARTMENT OF HOUSING  
PRESERVATION AND DEVELOPMENT, and  
SHAUN DONOVAN, in his capacity as  
COMMISSIONER OF NEW YORK CITY  
DEPARTMENT OF HOUSING PRESERVATION  
AND DEVELOPMENT; and EMAD IBRAHEM.

*Defendants.*  
-----X

STEPHAN RUSSO, being duly sworn, deposes and states:

1. I am the Executive Director of Goddard Riverside Community Center, a non-profit neighborhood community organization which serves basic needs of the community, including social, educational and recreational needs of people of all ages, from pre-school children to senior citizens, on the West Side of Manhattan.

2. I became the Executive Director almost ten years ago. Prior to that, I worked with Goddard Riverside in various capacities, including as Youth Program Director and Associate Director, for more than thirty years.

3. I submit this affidavit to support Plaintiff Sierra's opposition to the City Defendant's motion to dismiss the complaint.

4. Goddard Riverside Community Center was formed in 1959 when two settlement houses merged: Riverside Community House, founded in 1887, and Goddard

Neighborhood Center, founded in 1892. Today, Goddard Riverside operates twenty-two programs in sixteen sites on the Upper West Side and in Harlem. In the last year, we served more than 16,000 people in our numerous programs. Our program areas include: children, youth and families; homeless people; older adults; and advocacy and tenant assistance.

5. Goddard Riverside also develops and manages affordable housing. Included in the housing managed by Goddard Riverside are two supportive housing single room occupancy (SRO) buildings on the Upper West Side, Capital Hall at 166 West 87<sup>th</sup> Street and the Senate at 206 West 92<sup>nd</sup> Street. Capital Hall has 202 SRO units and the Senate has 136 SRO units.

6. The West Side SRO Law Project is a legal program started by Goddard Riverside more than twenty-five years ago in response to the unique needs of SRO tenants and the aggressive tactics used by owners of SROs to empty buildings. The Law Project was established to respond to the needs of SRO tenants and to work to preserve SROs as a necessary part of the affordable housing stock in New York City.

7. The Law Project provides legal services and advocacy to tenants living in SRO buildings on the West Side of Manhattan from 14<sup>th</sup> Street to the top of Manhattan. Since its inception in 1981, the Law Project has served over 12,000 SRO tenants by providing legal representation and advocacy services to individuals and families who are facing eviction or dealing with other problems with their landlords. In 2007 alone, the Law Project assisted approximately 600 persons living in SRO units on the West Side of Manhattan.

8. The SRO housing stock in New York City consists of several different types of buildings, each of which have their own legal classification in State and/or City law. The varied SRO housing stock includes brownstones, often referred to as rooming houses, hotels, and middle-sized or larger single room occupancy buildings. Generally, though not always, SRO tenants share a bathroom and/or kitchen, living only in a single room.

9. While there are no official yearly surveys conducted on the number of SRO units in New York City, either occupied or vacant, the Law Project has a list of SRO buildings on the West Side of Manhattan. However, that list is not exhaustive. Within this area alone there are approximately 350 SRO buildings.

10. While initially developed as housing to temporarily serve the needs of individuals with some instability in their lives, it became a necessary part of the permanent affordable housing stock in New York City decades ago.

11. SRO tenants generally face smaller and less frequent rent increases than apartment tenants. Each year the Rent Guidelines Board (RGB) determines rent increases for SRO units, as it does for apartments. For example, for the year 2007-2008, the RGB issued Hotel Order #37, which provides a 0% rent increase for tenants living in SROs, while allowing a 3% increase for apartment tenants requesting a one year lease and 5.75% increase for apartment tenants requesting a two year lease. In addition, there is no vacancy increase allowed for SRO units when a tenant vacates the unit. In contrast, landlords of apartment buildings are entitled to take a 20% increase when a tenant vacates a unit. Tenants in SRO units are protected by the Rent Stabilization Law/Code, provided the building was built prior to 1969 and there are 6 or more units, and there are still some

tenants protected by the more stringent Rent Control Law/Code. Many of the tenants that we work with pay less than \$600.00 per month in rent, an amount that they would be hard-pressed to find as a rent for an apartment in New York City.

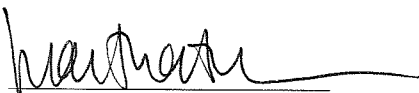
12. Over the last, approximately, ten years, we have seen more families moving into SRO units because many have no other affordable housing options available to them. Many of the families seek support not only from the Law Project, but also seek services from our programs for their children.

13. Based on my many years of experience at Goddard Riverside, I know that in our current housing market, SRO housing is an essential need, not only for single adults, but for families with children between the ages of 1 and 16. Most of the families that we work with who are living in SROs would become homeless with their children if they lost their SRO units.

WHEREFORE, I respectfully request that the relief sought herein be granted.

  
STEPHAN RUSSO

Sworn to before me  
this 24<sup>th</sup> day of January, 2008

  
Notary Public

**MARTHA ANN WEITHMAN**  
Notary Public, State of New York  
No. 02WE6068495  
Qualified in New York County  
Commission Expires March 22, 2010